



CITY OF VINCENT

MINUTES

Ordinary Council Meeting

20 June 2023

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**MINUTES OF CITY OF VINCENT
ORDINARY COUNCIL MEETING
HELD AS E-MEETING AND AT THE ADMINISTRATION AND CIVIC CENTRE,
244 VINCENT STREET, LEEDERVILLE
ON TUESDAY, 20 JUNE 2023 AT 6.00PM**

| | | |
|-----------------------|---|---|
| PRESENT: | <p>Mayor Emma Cole Cr Susan Gontaszewski Cr Ron Alexander Cr Alex Castle Cr Dan Loden Cr Suzanne Worner Cr Jonathan Hallett Cr Ross Ioppolo</p> | <p>Presiding Member South Ward North Ward North Ward North Ward North Ward South Ward South Ward</p> |
| IN ATTENDANCE: | <p>David MacLennan John Corbellini Peter Varris Rhys Taylor Jay Naidoo Tara Gloster Luke McGuirk Lisa Williams Chris Dixon Dale Morissy Paul Morrice Joslin Colli</p> | <p>Chief Executive Officer Executive Director Strategy & Development (electronically) A/Executive Director Infrastructure & Environment (left at 9.15pm after Item 12.1) Chief Financial Officer (Left at 9.04pm after Item 12.3) Manager Development & Design (Left at 7.54pm during Item 11.5) Executive Manager Urban Design & Strategic Projects (left at 6.58pm during Item 9.1) Manager Engineering (electronically) (Joined at 6.01pm during Item 3A) Executive Manager Communications & Engagement (electronically) (left at 9.15pm after Item 12.1) Projects and Strategy Officer (electronically) (left at 8.25pm during Item 11.6) Manager Community Facilities (electronically) Manager Rangers (electronically) (Left at 8.30pm after Item 11.6) A/Executive Manager Corporate Strategy & Governance (left at 9.15pm after Item 12.1)</p> |
| 12.1) | Wendy Barnard | Council Liaison Officer |
| Public: | Approximately 16 members of the public. | |

1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mayor Emma Cole declared the meeting open at 6.00pm and read the following Acknowledgement of Country statement:

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present”.

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Cr Ashley Wallace extended his apologies for this meeting.

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

The following questions and statements were received at the meeting. This is not a verbatim record of questions and statements made at the meeting.

3.1 Judith Burrows of North Perth - Item 9.1

Ms Burrows submitted the below statement, and spoke to it.

- Spoke against the recommendation
- Stated that the application does not meet the Built Form Policy or the R Codes applied to this parcel of land and in no way complies with the bulk or scale that should be applied to it
- Mentioned that while the application does meet the R20 lot size, the lot is an irregular shape and she believes it is up to the owners to work out how to build on that lot, either build something to fit on the lot, or buy a lot that will accommodate the planned building
- Requested Council enforce the R20 coding, and asks Administration to ensure that all applicants are aware of the requirements from the start
- Stated that R20 is the baseline for building in this area and noted previous approval for site.

Statement provided in writing prior to the meeting:

I thought I would just send you the information below rather than address it in the 3 minute time slot tonight, hopefully giving you some time to review.

This is a chart showing the depth of the concession being given to this build compared to what is allowed under the different R-Codes – you will need to get back between R40 & R50 to come close to setbacks despite this lots sqm meeting the R20 minimum.

| R-Code | Minimum Lot Size | Minimum Front Setback | Comment |
|-----------------------|---|---|---|
| R20 current coding | 350sqm – Average 450sqm | 6 Metres | Meets Lot Size but Does Not Meet Minimum Front Setback |
| R25 | 300sqm - Average 350sqm | 6 Metres | Does Not Meet Setback Requirement |
| R30 – when subdivided | 260sqm – Average 300sqm | 4 Metres | Does Not Meet Setback Requirement |
| R35 | 220sqm - Average 260sqm | 4 Metres | Does Not Meet Setback Requirement |
| R40 | 180sqm - Average 220sqm | 4 Metres | Does Not Meet Setback Requirement |
| R45 Does Not Exist | Would meet somewhere between R40 & R50 if such a Coding existed & would be 170sqm – Average 200sqm | Again, non-existent but on average 3 Metres | Would Not 100% Meet Setback Requirement |
| R50 | 160sqm – Average 180sqm | 2 Metres | Meets Requirement |

To have a carport or roofing over an open area is not allowed in the 7.7m > 6 Metres boundary setback, therefore the alfresco should meet the same restrictions currently applied to other residences in the street and the alfresco roofing set back 7.7m > 6 metres off Auckland St.

LANDSCAPING

Dimensions all accessed online – some state a bigger width – eg Magnolia on one site said this spread to 25M wide and at this size just one tree would cover the entire lot. To add a bit of humour – perhaps they want to build a tree house!!

Trees are being planted in very small areas – eg Magnolia along pool space which is 1m wide x 6 m long these are also shown alongside the driveway which combined has an overall maximum of 6 sqm with storage tank below. **Neither area can have planting** due to the pool and line of sight exiting the garages on both sides. Total fantasy.

Vincent Planning and Landscaping has approved these plantings according to the documents in front of you and as told to me in person by Jono Cohen, this is after I challenged the first plan for having no green space to twice challenging this plan as being totally disrespectful from Riverstone.

| | | |
|--|----------------------|-------------------------------|
| MAGNOLIA GRANDIFLORA setback to pool | 27.5 M HIGH | 12 M WIDE in 1m |
| SYZGIUM BUSH CHERRY – LILY PILLY 2.7m area | 7 – 10 M HIGH | 3 – 8 M WIDE in 1.4m x |
| COTTONWOOD HYBISCUS 3.6m setback | 6 – 8 M HIGH | 6 M WIDE in 2.9m to |
| PURPLE LEAF PLUM setback | 8 – 12 M HIGH | 8 – 12 M WIDE in 1.2m |
| PYRUS CALLERYANA ** floor set back area. | 11 M HIGH | 6 M WIDE in 1.7m first |

** Online this is listed as having an offensive odour and in the USA regarded as an invasive plant – this will be near our parks with native vegetation.

The pool is directly under a balcony & small eave – occupational health and safety issue?

All these and other items that I have previously addressed in submissions are in the documents presented to you as accurate and achievable or will happen in the street and I am angry that this is being allowed. I have been told to ignore the landscaping and pool (as two examples) as they do not matter and can be dealt with later. **That is not the point**, you are being presented with information and an image of what this will look like and for those of you who were good enough to join us at the site, you know the reality has a very different impact compared to what conforming to the R-20 Codes would achieve. If you cannot trust your planners to give you an accurate account of the minor issues then what does that say about the integrity of the rest of the plans and information.

The Presiding Member, Emma Cole, thanked Ms Burrows for her comments.

3.2 David Hunter of North Perth – Item 9.1

- Spoke against the recommendation
- Thanked Council members who attended site
- Stated that he owns a house directly to the north of the proposed development and is directly impacted by the proposal
- Mentioned that there is considerable objection to the proposed plan in its current state. Auckland and Gill Street residents are passionate about protecting their community streetscape, amenity and way of life
- Stated that there are well documented issues pertaining to bulk and scale, as documented by the DRP Chairperson and plethora of submissions objecting to this proposal, yet planning have recommended approval without any substantial changes
- Queried why the applicants have been given such generous concessions on the first floor setbacks, particularly given the concessions already given on the ground floor
- Urged council to exercise their discretion and at least defer the proposal pending design update, or if deemed appropriate, refuse the application

The Presiding Member, Emma Cole, thanked Mr Hunter for his comments.

3.3 Lesley Florey of Mt Hawthorn

- Stated that she has a major City asset running under and through her property. It is a large stormwater pipe which has been neglected by the City
- In response to questions raised at the May 2023 meeting, Administration advised that for YTD 2022/23 the City had paid a premium of \$1,070,417.64 to the Local Government Insurance Scheme (LGIS)
- Queried the following:
 - What is the amount of the sum insured for this premium?
 - Number of claims made and for what amounts, against the number of claims paid out and for what amount, for the years 2021, 2021/22 and YTD 2022/23.
 - Last year LGIS distributed \$6M, the largest dividend distribution since the commencement of the scheme. How much did the City receive as a dividend from this scheme last year?
 - Who is ultimately responsible for City record keeping?
 - Whose function is it to ensure that records and documents are kept and accurately maintained?
 - How many landowners have paid to connect to the City stormwater drainage system over the last 5 years, for Mt Hawthorn and the whole of the City?

The Presiding Member, Emma Cole, thanked Ms Florey for her comments and advised that Administration would provide answers to those questions..

3.4 Ashlee La Fontaine of North Perth – Item 11.5, 11.6 and 12.3

Item 11.5

- With a carryover of \$4.5M for the 2022/2023 financial year, what priority is given to implement carry over projects?
- It has taken three years of capital works budgets, 2020/21, 2021/22 and 2022/23, to complete the stage 1 design of the Norfolk Street Safe Active Streets Project and no update has been provided to the community since the first consultation in May 2022
- Has the Norfolk Safe Active Streets Project been dropped, or have the funds been reallocated to another project? If so, which one?
- Stated she is not able to locate it in the capital works budget

Item 11.6

- Stated that a year ago all residents were forced to top up the Underground Power Reserve, sold as enabling residents to access longer payback periods
- Stated that the money raised will exclude 30% of ratepayers who received the imposition
- Mentioned that she is not against prioritising ratepayers who are experiencing financial hardship, however these conditions imposed after the charge are unfair and impose additional financial stress to residents who cannot access the service they have contributed towards. A funding model with an extended period could enable all ratepayers who contributed to the reserve to access the service, except of course Highgate East residents
- Requested that the period of accessibility should be extended to ensure equity for all. Ratepayers in Highgate East underground power project area paid upfront or elected for longer payback periods with a per annum interest rate applied to their loan
- Mentioned that she requested at the AGM that those that have already paid for their underground power should have the 2.1% rates increase in 2021/22 refunded, as they are paying twice, which is an imposition on those residents, especially now many are struggling to meet increases in the cost of living
- Requested a direct response to this proposal, that addresses a refund to the double charged residents.

The Presiding Member, Emma Cole, thanked Ms La Fontaine for her comments and advised that some of these questions would be raised during discussion on the item. During discussion of the item Cr Dan Loden advised that the funds utilised for the Underground Power Reserve are funds that are used to provide a

circular loan. The funds have been obtained from ratepayers in advance, but that is to help the City to maintain its financial integrity due to the low rates levels. Those funds will be used to fund the Underground Power Reserve, but will then cycle back into the coffers of the City and will be used for things like the sustainability of City assets. The City would always have had to raise these funds, it may not have been last year, but would have been sometime in the next 10 years, and the longer we wait the more money will be required to provide the funds needed over that timeframe.

3.5 Greg Johnson of Mt Hawthorn – Item 11.5

- Stated he owns a small business in Mt Hawthorn
- Stated that he supports the removal of the \$2 minimum kerbside parking charge
- Urged Council to reinstate the \$1 first hour free parking in Leederville
- Stated that the imposition of 4.5% rate increase does not acknowledge the financial stress of ratepayers in the City and considers it excessive. Suggested a reduction to 3% rate increase
- Urged Council to assist ratepayers and understand their circumstances

The Presiding Member, Emma Cole, thanked Mr Johnson for his comments.

3.6 Tristan Marshall of North Perth – Item 9.1

- Spoke against the recommendation
- Stated his original opposition was around the amenity and walkability of the area
- Stated that he agreed with two previous plans presented, single storey and a modest two storey, so he is not against development on the site
- Mentioned there are issues with the bulk and scale of the property and concerned about overlooking and visual amenity impact.
- Strongly disagrees with the proposed development

The Presiding Member, Emma Cole, thanked Mr Marshall for his comments.

3.7 Kathryn Haykin of North Perth – Item 9.1

- Spoke against the recommendation
- Concerned about impact from overshadowing which has not been correctly measured and will impact on north facing windows.
- Stated that the solar panels they are planning will be on hold indefinitely, as the winter overshadowing will make this sustainable living choice sub-economic
- Mentioned that the bulk and scale of the proposed development will loom over their modest home and will be visible from the living and dining rooms, the kitchen and master bedroom, the veranda and front and back gardens
- Stated that the second storey should be set back 2m from the 7.7m street ground floor setback
- Mentioned that the entire first floor is discretionary, and not in line with predominant street setback of 5.3m.
- Stated that the proposed development has not considered their privacy.
- Stated that the proposed development would have direct line of sight from many areas into her living room, master bedroom, veranda and front garden, which would have a massive impact on her and her family

The Presiding Member, Emma Cole, thanked Ms Haykin for her comments and advised that her email has also been received.

3.8 Fiona Hunter of North Perth - Item 9.1

- Spoke against the recommendation
- Thanked the Council members that attended site to see the impact this would have not just on the three direct neighbouring properties but the entire streetscape

- Stated that their property has a first storey setback is 7m from the street boundary on the northern side of the façade, then opening up to a 8.5 – 9m setback on the southern side, which is in line with the average street setback, and their house honours the feel of the streetscape and area
- Requested respectfully that this application is deferred or refused
- Requested the added information on previous plans that were approved that they requested
- Suggested that if any precedents been set on the previous plans, that would be a reason to defer current plans

The Presiding Member, Emma Cole, thanked Ms Hunter for her comments and advised that she believes that Administration had responded to the previous development application query, and queried if Ms Hunter wanted additional information. Ms Hunter advised that she would like information on how many other plans went through. Mayor Cole advised that this is a process issue and is to be dealt with by Administration and advised Ms Hunter to liaise with Manager Development & Design.

3.9 Cosi Schirripa of North Perth – Item 9.1

- Spoke against the recommendation
- Presented some background of the area and the amendment to the R Codes
- Stated that the application is against what is appropriate for the area and residents are unhappy that this development is being considered
- Stated that this development is not sympathetic to the area

The Presiding Member, Emma Cole, thanked Mr Schirripa for his comments.

3.10 Chris Haykin of North Perth – Item 9.1

- Spoke against the recommendation
- Considers the development would present excessive bulk and overdevelopment of the site and that the concessions sought are not modest and would have an impact on the adjoining streetscape
- Does not consider that the amendments made to the plans have addressed concerns raised by the DRP. The plans were only supported for 4 out of 10 design principles, on the third referral.
- Mentioned that the development is inconsistent with the established streetscape, and this was consistent with comments from the DRP.

The Presiding Member, Emma Cole, thanked Mr Haykin for his comments.

The following statements were submitted prior to the Meeting.

Brendan Bensky of North Perth

1. To questions asked at the May 2023 council meeting, the City confirmed that no councillor or staff member has received any privacy training. Given this, on what basis is the City competent to be making policy or operational decisions regarding its existing Privacy Management Policy? How is the City ensuring that it is acting in accordance with its own Privacy Management Policy?
2. To questions asked at the May 2023 council meeting, the City confirmed that it has not completed a privacy impact assessment (PIA) of its proposed CCTV policy. The OIAC provides guidelines and best practice advice on privacy. It writes that:
"To be effective, a PIA should be an integral part of the project planning process, not an afterthought. It should be undertaken early enough in the development of a project that it is still possible to influence the project design or, if there are significant negative privacy impacts, reconsider proceeding with the project." (i)
Why did the City ignore this best practice advice and not conduct a PIA before having Council vote-for and approve the policy?
3. Now that the City has awareness of its error in not conducting a PIA, why is it not immediately conducting a PIA?
4. At the Audit Committee meeting of 9 August 2022, the administration presented the City with a privacy roadmap. Please provide a copy of this privacy roadmap. (ii)
(i) <https://www.oaic.gov.au/privacy/privacy-guidance-for-organisations-and-government-agencies/privacy-impact-assessments/guide-to-undertaking-privacy-impact-assessments#when-to-do-a-pia>
(ii) https://www.vincent.wa.gov.au/Profiles/vincent/Assets/ClientData/Documents/Council/Committees/Audit/Audit_Committee_Minutes_-_9_August_2022.pdf

Sally Lake of Highgate - item 11.5

I do not support the proposed \$2 minimum parking fee for street parking.

The City of Vincent is built on an old community where local shops were common. That Vincent continues to have shops and businesses along main streets but also within local streets is a big contributor towards maintaining a lively, active community where places to work and shop are close to where people live. However not everyone can walk for a variety of reasons. The proposal to introduce a \$2 minimum fee for on street parking will have a significantly negative impact on local shops and businesses. Instead of visiting several local businesses, possibly paying \$2 at every stop, people will go to a shopping complex outside Vincent where all their needs are in one place.

The Rangers argue that people don't pay until they see the Rangers coming. People have been doing that since the last century. The Rangers need to get a bit smarter in how they do their job.

Please do not make this change which will hurt local businesses and locals who patronise those businesses.

Shawn Offer of Mt Lawley – Item 11.5

Again, I thank you for removing the \$1 first hour charge for parking which shows the City's support of the Mt Lawley business precinct which has been significantly affected by the changes to the parking fees since September last year. I do object to the basis to which it will continue being applied in Leederville car parks for the same reasons as previously expressed. I feel for the businesses in Leederville who still need to contend with this handicap and will in the future also deal with significant construction in their precinct. I urge you to reconsider this approach.

When concerned with the Raglan Road carpark and the introduction of surge pricing. What technology is used to determine when the surge pricing comes into effect? There are no parking bay monitoring systems or cameras to my knowledge that can understand the capacity of the car park in real time. The use of the 'EasyPark' smart phone app and live ticket machine information is only as good as people a) using them or b) returning to their vehicles as they should at the correct times. How is it this system can understand the load in the car park and with what level of accuracy?

Part of me believes that perhaps the longer-term two-hour parking will be too cheap in the area and move us to a totally different problem if the system considers the carpark always empty.

The \$2 minimum charge for street side parking is to help facilitate quick turnover of street side bays. How does a minimum \$2 fee, representing a stay of 30 minutes, help to achieve this outcome? This is a hinderance for small business who retail fast moving consumer products such as newspapers, coffees, flowers, fresh produce or patisseries.

I had asked a few questions last week, some I have yet to see answered:

- What is to become of the increase of short-term bays in the Ragland and Chelmsford Road carparks that was recommended by the parking consultant? Available bays are the key component.
- Is it possible for the ticket machines in the Ragland Road and Chelmsford Carparks to have shelter over them to assist people using them in the rain?
- In the rates and charges, the use of a credit card has a surcharge of 5%. This is contrary to consumer law. Is the council exempt from the ACCC regulations in this area?
- What is the City's credit card service fee for accepting card payments?

Thank you again for the impending changes. Our customers have been thankful for the increase in short term bays though when the area this is busy it is unfortunate that they are being used for long term parking. I often see people parking in these bays all day with no penalties.

Administrations' responses will be provided in the Agenda for the 25 July 2023 Ordinary Council Meeting.

There being no further speakers, Public Question Time closed at approximately 6.32pm.

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Olaf Goy of Perth

Background:

In June 2021 a group of residents lodged a petition urging the administration to take action in relation to 7 Grams Chicken of 212-214 Lake Street in relation to nuisance odour. This was a result of residents having had to put up with the foul cooking odour for some time. Almost two years later, the issue not only persist but is now being exasperated by unacceptable constant noise levels when the new system is operating in full swing.

A number of residents attended Council meetings and urged the Council to review the Vincent Local Planning Scheme No 2 and in particular the definition for 'Fast Food'. By rights, this business should not have been operating in this area in the first place.

I would like to kindly request answers to the following questions:

1. What, if anything has been done in relation to reviewing the Vincent Local Planning Scheme No 2 to identify potential amendments?

There are no provisions that could be included in a local planning scheme that would prohibit an existing use from continuing where that use was permitted to operate and continue under the current local planning scheme. 7 Grams Chicken at 212-214 Lake Street is permitted to operate and continue under Local Planning Scheme No. 2 (LPS2).

The City carried out a review of its Local Planning Scheme No. 2 (LPS2) in 2022. As part of the review it was confirmed that the definition of 'Fast Food' and 'Restaurant/Café' in LPS2 is consistent with the Model Provisions set out in the State Government's Planning and Development (Local Planning Scheme) Regulation 2015.

2. I have been the recipient of a noise complaint notice when a tradesman used power tools on a Sunday. The note reminded me of the penalties applicable for subsequent breaches reaching from \$250 all the way up to \$250,000. At the same time, 7 Grams is allowed to operate unabated with the City agreeing to numerous extensions in a series of SAT hearings. Does the City put the interest of commercial businesses ahead of its residents?

No.

3. If the answer to question 2. Is 'no', at what point does the City consider it justified that the business must provide sufficient remedies before it is allowed to continue to trade?

The City has commenced an investigation into concerns relating to the sound levels emitted by the new mechanical exhaust system at 212-214 Lake Street, Perth. Sound level measurements have been taken by the City's Health Services. These will be analysed and assessed against the prescribed levels in the Environmental Protection (Noise) Regulations 1997. Should the sound emitted by the device exceed the prescribed levels, the City will direct the business to reduced levels in line with the Noise Regulations.

4. What timeframe and resolution does the City find acceptable to resolve the issue?

Should the sound emitted by the device exceed the prescribed levels, it is likely directions for compliance will include immediate and long(er) term sound attenuation measures.

5. What are the next steps if the proposed solution that has finally been installed does not remedy the situation or in fact, creates a different problem being noise pollution.

The Notice issued by the City for 7 Grams Chicken to abate cooking odour was appealed by the business to the State Administrative Tribunal (SAT) in 2021. The SAT are now the decision maker in relation to this Notice.

If the noise being generated by the new mechanical exhaust system just installed at 212-214 Lake Street exceed the prescribed levels in the Environmental Protection (Noise) Regulations 1997, then the City will issue directions requiring compliance.

Brendan Bensky of North Perth

1. At the council meeting April 4th 2023, Council unanimously approved an updated CCTV policy (i) to be issued for public notice. The new policy plagiarises the City of Townsville's CCTV Policy (ii). Can the City provide an explanation for this?

It is common in local government that information is shared and comparable.

2. The CCTV policy (i) includes references to QLD's Information Privacy Act of 2009, and QLD's Right to Information Act of 2009. Can the City provide an explanation for this?

This will be rectified before the Policy is adopted.

3. The City's Privacy Management Policy (iii) is aligned to the Commonwealth Privacy Act. Why does the City's new CCTV policy ignore both the City's own Privacy Management Policy, as well as the Commonwealth Privacy Act?

The new Policy will be deferred until the new PRIS legislation has come into effect.

4. Did the City conduct a Privacy Impact Assessment of the new CCTV Policy (i)? If so, please provide a copy of the assessment.

The City will complete a Privacy Impact Assessment to help inform a final draft of CCTV Policy. The City will be using public feedback during the consultation period to assist this assessment.

5. Since September 2021, have any councillors received privacy training? If yes, please provide details.

6. Since September 2021, has the CEO, or any Director or Manager received privacy training? If yes, please provide details.

7. Since September 2021, has any other staff member at the City of Vincent received privacy training? If yes, please provide details.

Response to Q5, 6 and 7

Privacy and information sharing awareness and training will be planned for City Councillors, Executive and staff as part of the City's PRIS (PRIS detail provided further below) readiness activities. Other awareness and training is provided via existing information security training, to Councillors and all staff, which helps to promote and reinforce good information security behaviour.

8. Can the City provide an update on the work being done to update the City's privacy practices?

The City is now reporting to WA Government's PRIS (Privacy and Responsible Information Sharing) Implementation Steering Committee. The Committee is leading WA Government entities through readiness preparation for privacy legislation being drafted by WA Government.

WA Government has published that the legislation will introduce reforms to provide:

1. *guiding principles and a framework to govern the collection, protection, use and disclosure of personal information across the public sector;*
2. *a mandatory data breach notification scheme, requiring agencies to notify the Privacy Commissioner and affected individuals of serious data breaches involving personal information; and*
3. *a mechanism that supports Aboriginal data sovereignty and governance in WA, by requiring that Aboriginal people and communities are involved or consulted when data about them is shared.*

The legislation is expected to commence in late 2024. As part of the City's PRIS readiness activities, the City will develop a new Privacy Management Plan. WA Government advises the Office of Information Commissioner may have a role in endorsing plans for entities aligning to the PRIS reforms.

Dudley Maier of Highgate

- 1 When the first three areas to receive underground power were identified, the estimated total cost to property owners in those areas was \$17.6 million. In answer to a question at the OMC of 5 April 2022 the Administration provided a breakup of the costs by area, as well as the number of meters in each area.

Five new areas have subsequently been nominated with a preliminary estimated cost to property owners of \$54.1 million.

Accepting that these figures are preliminary estimates which will be refined over time, what is the latest estimated cost for each of the eight areas identified?

Western Power's current estimates will be provided as part of the Underground Power Financial Model at the June OCM.

- 2 At a community workshop held on 24 April 2023 attendees were presented with information that indicated that there would be a 12 month gap in the delivery of underground power. Further analysis of the data presented at the workshop indicates that, rather than a simple pause in delivery, the actual situation is that one area will be delayed by six months; two areas will be delayed by fourteen months; and three areas will be delayed by over three years.

- 2.1 Who initiated these changes – the City or Western Power?

The City initiated these changes.

- 2.2 Has any formal agreement been made with Western Power to defer the start of work on these areas?

No formal agreement has been made.

- 2.3 Has any binding agreement been made concerning start dates, or is it open for the council to intervene in the process and renegotiate the project starts?

No binding agreement has been made.

- 3 In response to motions from the Annual Meeting of Electors, which were considered on 14 March 2023, the Council adopted an amendment which said that the Council:

AUTHORISES Administration present such a model along with all assumptions to Council for approval, including an indication of when each area will be consulted about the preferences for up-front payment.

- 3.1 Given that the requirement was that the model be provided to council for approval, when do the Administration think that the model will be presented to Council?

The financial model for underground power will be presented to Council at the June OMC.

- 3.2 Why isn't the need to present Council with this model shown in the "Register of Reports to be Actioned" which is included in the Information Bulletin?

This omission was an error and has now been corrected.

- 3.3 Did the administration suggest rescheduling six of the project areas based on a financial model which has not yet been approved by Council?

Various financial models were presented to Elected Members over several workshops, to inform the City's preferred option. Further details will be provided at the June OCM.

Norelle O'Neill

I refer to the Proposed Lease of Portion of No.41 Britannia Road, Leederville at Britannia Road for the installation of a telecommunications tower and metal cabinets, the consultation period for which closed yesterday, 16 May 2023:

1. Is it correct that Mr David MacLennan, CEO, City of Vincent, did, prior to the closing date of the community consultation period, tell members of the Vincent community that the proposed location of the tower and cabinets had already been approved and was to proceed at that location?
- a. If so, does the CEO deem it appropriate to convey such a 'fait accompli'? Does the CEO agree that such comments further erode the community's already wary perception of the City's consultation processes?

Council at its meeting 4 April 2023 resolved to consent to the proposed lease proceeding to public notice. Depending on the outcome of the public notice period if submissions were received the lease would be presented to Council for determination on whether to grant the lease. A decision has not been made on the lease with a report to be presented to the 20 June 2023 Council Meeting.

2. When the annual photos of Vincent representatives and First Nations Peoples are published to promote the City for National Reconciliation and NAIDOC Weeks, can they please include reference to the fact that the City is proposing to allow the cited area, which is the remains of an extensive traditional Aboriginal hunting and camping ground, to be concreted over for a telecommunications tower. Can the article highlight that the CoV has accepted a consultant's view that in regard to the proposed site "There are no cultural heritage or visual landscape values to be compromised by the location [of the tower], and no significant environmental impact"

The Council will be asked to consider granting a lease for the site at its meeting 20 June 2023. Any impact on the aboriginal heritage significance of Britannia Reserve would be considered as part of the development application which would be determined by the Western Australian Planning Commission. The Department of Planning, Lands and Heritage's mapping does not indicate that Britannia Reserve is a registered Aboriginal Heritage Site. The development application is currently open for community consultation until 13 June 2023. Any submissions on the proposal should be submitted directly to the Department of Planning, Lands and Heritage, and can be forwarded to the City for its information.

3. The mature native tree in the attached photo is located at the site of the proposed telecommunications tower, and was recently damaged by excessive lopping of limbs down one side only. Given the area has been incorrectly deemed by the City as 'under-utilised' the tree would not have been lopped for safety reasons but presumably for plans for the tower.
- a. Did tower proponent Optus, its contractor Indara Corporation, or any of its sub-contractors, at any time engage with any City of Vincent staff to discuss and/or request lopping limbs off the cited community tree for any purpose, and as a result of that engagement were multiple limbs lopped off that and a nearby tree?
- b. If so, who paid for that work to be done, the City of Vincent, Indara Corporation or another entity?

The trees surrounding the proposed lease area have been pruned by the City as part of the City's ongoing maintenance operations.



3.2 Lesley Florey of Mt Hawthorn

- Stated that she has a major City asset running under and through her property. It is a large stormwater pipe which has been neglected by the City
- Mentioned that the GHD Stormwater Drainage report rates the risk management implications as High as “there is a large amount of drainage infrastructure which runs through private property.”
- Queried how many properties have drainage infrastructure running through their property? Requested an approximate number

(Number is not known but expected to be over 10)

- Queried how much does the City pay in total premiums to the Local Government Insurance Scheme (LGIS) per annum?

| | 2021-22 | 2022-2023 YTD |
|-------------|----------------|----------------------|
| LGIS | 984,342.90 | 1,070,417.64 |

- Requested the CoV to place the Stormwater Drainage Connection policy on hold until all the stormwater pipes have been located, mapped, their condition noted and the capacity issues have been rectified and they are able to control the flow of stormwater. Suggested that no developments be allowed to connect to the stormwater pipes until all of the above issues are solved and rectified.

(The Stormwater Drainage connection Policy is due for review and is expected to go to Council in 2023. The current details are available within the below link; [POLICY NO: 1 \(vincent.wa.gov.au\)](https://www.vincent.wa.gov.au/policy-no-1))

Steve Beaumont of Highgate

Stated that the service station toilets at Beaufort and Bulwer, but it is closed by vandalism, the Woolworths closes at 5pm and the public toilets in the park have been removed

- This means that there are not public toilets on Bulwer Street, which means when there is a football match people are using the laneways
- Recommended putting up portable toilets at the service station for football patrons to use, and consider what to do for the homeless people in the area

The Presiding Member, Emma Cole, thanked Mr Beaumont for his comments and said that the City is considering a toilet at Birdwood Square. Mr Beaumont suggested that if Woolworths and the service station cannot supply a toilet, they should have to close their doors, and this should apply across the board. Mayor Cole said that the City could investigate what the planning approval for Woolworths and the service station says in relation to the provision of public toilets. Are they required to offer them, and if so during which hour

Administration has reviewed the planning approvals for Woolworths Highgate at No. 81 Bulwer Street Perth and BP Service Station at No. 342 Beaufort Street Perth and note that while these developments provide toilet facilities, there are no conditions of development approval requiring them to be open to the public.

The City is proposing to budget for the construction of public toilets and changing facilities at Birdwood Square in the 23/24 financial year. The project has been funded through an election commitment and City funding and is due to be complete in early 2024. These toilets will be open to the public and could be used by patrons of events at HBF Park.

The City will also liaise with HBF Park regarding the provision of sanitary facilities external to the venue on game days, however this would not be an enforceable requirement under State legislation.

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

A petition with 28 signatures has been received from Norelle O'Neill objecting to the Proposed Lease of a Portion of Britannia Reserve Portion 41 (Lot 31) Britannia Road, Leederville, known as Britannia Reserve and requesting that a suitable alternative location is considered for the telecommunications tower proposed for Britannia Reserve.

PETITION

COUNCIL DECISION

Moved: Cr Hallett, **Seconded:** Cr Castle

That the petition be received, and be dealt with under Item 9.4 on this agenda.

CARRIED UNANIMOUSLY (8-0)

(Cr Wallace was an apology for the Meeting.)

6 CONFIRMATION OF MINUTES

COUNCIL DECISION

Moved: Cr Castle, **Seconded:** Cr Hallett

That the minutes of the Ordinary Meeting held on 16 May 2023 be confirmed.

CARRIED (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

Against: Cr Alexander and Cr Ioppolo

(Cr Wallace was an apology for the Meeting.)

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Presiding Member Emma Cole made the following announcement:

7.1 FINANCE ACHIEVEMENT

This agenda contains the revised Long Term Financial Plan, the adoption of the Annual Budget, the Corporate Business Plan, including the next four years capital works program, the Underground Power financial model and Events sponsorship. This would have been unimaginable ten years ago, and shows the financial maturity of the City to be able to adopt a significant part of the Integrated Performance and Review Framework on one night. Congratulations to the excellent Chief Finance Officer and Finance Team, and to the CEO who has been co-ordinating this process from a strategic perspective. This is a first for the City of Vincent.

8 DECLARATIONS OF INTEREST

- 8.1 Cr Suzanne Worner declared a financial interest in Item 11.7 Event Sponsorship 2023/2024. The extent of her interest is that she is General Manager of one of the events, business operator for at least two more and her business partner submitted one of the applications. She is not seeking approval to participate in the debate or to remain in Chambers or vote in the matter.
- 8.2 Cr Suzanne Worner declared a impartiality interest Item 9.2 173 Oxford Street, Leederville - Proposed Alterations and Additions to Small Bar (Amendment to Approved) (Unauthorised Existing Development). The extent of her interest is that she is partnering with the venue to provide a space for free filmmaker workshops in July.
- 8.3 Mayor Emma Cole declared an impartiality interest in Item 9.2 173 Oxford Street, Leederville - Proposed Alterations and Additions to Small Bar (Amendment to Approved) (Unauthorised Existing Development). The extent of her interest is that she attended the official opening of the small bar "Roberts on Oxford" on 5 June 2021.
- 8.4 Cr Ross Ioppolo declared a proximity interest in Item 11.5 Adoption of the Annual Budget 2023/24. The extent of his interest is that there are expenses within the Budget agenda item that relate to works on this Administration building which is in direct proximity to my residential property.

These expenses are inconsequential and immaterial to the entire budget, in the opinion of Administration. As a result, Administration has agreed to exclude these items from the Budget and deal with this item in two separate motions, in which case, he is declaring a proximity interest in relation to the administrative building expenses only, permitting me to participate in debate and vote on the material remaining aspects of the Adoption of the Budget.

If it is possible for Council to vote on my ability to participate and vote as one item and if decided in the negative, subsequently move the motion in separate items so I am only excluded from the minor items related to this Administration building, then I am happy for this to occur.

He is seeking approval to participate in debate, remain in Chambers and vote on the matter.

COUNCIL DECISION

Moved: Cr Worner, Seconded: Cr Loden

That Council APPROVES Cr Ioppolo's request to participate in the debate and vote on Item 11.5 Adoption of the Annual Budget 2023/24, as Administration has advised that the amounts are inconsequential and immaterial to the entire budget.

CARRIED (7-0)

(Cr Wallace was an apology for the Meeting.)

Cr Ioppolo did not vote as he was the subject of the vote. He did not leave the room as the amounts in question are inconsequential and immaterial.

REPORTS

The Presiding Member, Mayor Emma Cole, advised the meeting of:

- (a) **Items which are the subject of a question, comment or deputation from Members of the Public, being:**
Items 9.1, 11.5, 11.6 and 12.3
- (b) **Items which require an Absolute Majority decision which have not already been the subject of a public question/comment, being:**
Items 11.5, 12.1 and 12.3.
- (c) **Items which Council Members/Officers have declared a financial or proximity interest, being:**
Item 11.7.

The Presiding Member, Mayor Emma Cole, requested Council Members to indicate:

- (d) **Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

| COUNCIL MEMBER | ITEMS TO BE DISCUSSED |
|-----------------|--|
| Cr Gontaszewski | 11.7 |
| Cr Loden | 9.4 |
| Cr Ioppolo | 9.1, 11.4, 11.5, 11.6, 11.9, 12.2, 12.3 and 17.1 |

The Presiding Member, Mayor Emma Cole therefore requested the Chief Executive Officer, David MacLennan, to advise the meeting of:

- (e) **Unopposed items which will be moved "En Bloc", being:**
Items 9.2, 9.3, 10.1, 11.1, 11.2, 11.3, 11.8 and 12.4
- (f) **Confidential Reports which will be considered behind closed doors, being:**
Items 17.1.

ITEMS APPROVED "EN BLOC":

The following Items were adopted unopposed and without discussion "En Bloc", as recommended:

COUNCIL DECISION

Moved: Cr Castle, **Seconded:** Cr Loden

That the following unopposed items be adopted "En Bloc", as recommended:
Items 9.2, 9.3, 10.1, 11.1, 11.2, 11.3, 11.8 and 12.4

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

9.2 NO. 173 (LOT: 7; D/P: 867) OXFORD STREET, LEEDERVILLE - PROPOSED ALTERATIONS AND ADDITIONS TO SMALL BAR (AMENDMENT TO APPROVED) (UNAUTHORISED EXISTING DEVELOPMENT)

Ward: South

Attachments:

1. Location Plan
2. Development Plans
3. Landscaping Plan
4. Amended Acoustic Report
5. Previous Development Approval - 24 July 2020 (5.2020.81.1)

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a proposed Alterations and Additions to Small Bar (Amendment to Approved) (Unauthorised Existing Development) at No. 173 (Lot: 7; D/P: 867) Oxford Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following conditions and associated advice notes:

1. All conditions, requirements and advice notes detailed on development approval 5.2020.81.1 dated 24 July 2020, 5.2021.274.1 dated 18 August 2020 and 5.2021.220.1 dated 14 September 2021 continue to apply to this approval, except as follows:
 - 1.1 Condition 1.1 is amended to read as follows:
 - 1.1. This approval relates to Alterations and Additions to Small Bar as indicated on the plans dated 17 March 2023 and 9 May 2023. It does not relate to any other development on the site;
 - 1.2 Condition 7 is amended to read as follows:
 7. The measures outlined in the approved acoustic report prepared by Acoustic Engineering Solutions, dated 24 April 2023 shall be implemented prior to the occupation or use of the development subject of this approval and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;
 - 1.3 Condition 11 is amended to read as follows:
 11. Within 28 days of the date of this approval, an updated Waste Management Plan shall be provided to the City. The updated Waste Management Plan is to reflect the changes to the bin store location and its increase in size. The approved Waste Management Plan shall be thereafter implemented to the satisfaction of the City;
 - 1.4 Condition 12.1 is amended to read as follows:
 - 12.1 An amended landscape and reticulation plan for the development site, to the satisfaction of the City, shall be lodged with and approved by the City prior to occupation or use of the development the subject of this approval. The amended landscape and reticulation plan shall generally be in accordance with the plan dated 17 March 2023 except the *Syzygium Leuhmannii* species being replaced with *Acmena Smithii Dwarf* species or other suitable species as approved by the City;
 - 1.5 A new Advice Note 3 of 5.2021.220.1 to read as follows:
 3. The development is to comply with the relevant assigned noise levels under the *Environmental Protection (Noise) Regulations 1997*.

COUNCIL DECISION ITEM 9.2

Moved: Cr Castle, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

9.3 OUTCOME OF ADVERTISING - LOCAL PLANNING POLICY: NON-RESIDENTIAL PARKING AND PAYMENT IN LIEU OF PARKING PLAN

- Attachments:
1. Local Planning Policy: Non-Residential Parking
 2. Payment in Lieu of Parking Plan
 3. Policy No. 7.7.1 - Non-Residential Development Parking Requirements
 4. Community Consultation Submissions

RECOMMENDATION:

That Council:

1. **PROCEEDS** with:
 - 1.1 Local Planning Policy: Non-Residential Parking, pursuant to Clause 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, at Attachment 1; and
 - 1.2 Payment in Lieu of Parking Plan, pursuant to Clause 77J of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, at Attachment 2; and
2. **REVOKES** Policy No. 7.7.1 – Non-Residential Development Parking Requirements, in accordance with Schedule 2, Part 2, Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, at Attachment 3.

COUNCIL DECISION ITEM 9.3

Moved: Cr Castle, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

10.1 UNRECOVERABLE PARKING INFRINGEMENTS WRITE-OFF

Attachments: 1. FER Write-Offs 2021_2022 - Confidential

RECOMMENDATION:

That Council APPROVES the write off of Parking Infringement Notices totalling \$170,119.65 that have been withdrawn by the Fines Enforcement Registry, as identified within Attachment 1.

COUNCIL DECISION ITEM 10.1

Moved: Cr Castle, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

11.1 FINANCIAL STATEMENTS AS AT 30 APRIL 2023

Attachments: 1. Financial Statements as at 30 April 2023

RECOMMENDATION:

That Council RECEIVES the Financial Statements for the month ended 30 April 2023 as shown in Attachment 1.

COUNCIL DECISION ITEM 11.1

Moved: Cr Castle, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

11.2 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 APRIL 2023 TO 30 APRIL 2023

- Attachments:
1. Payments by EFT and Payroll April 23
 2. Payments by Cheque April 23
 3. Payments by Direct Debit April 23

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 April 2023 to 30 April 2023 as detailed in Attachments 1, 2 and 3 as summarised below:

| | |
|---------------------------------------|-----------------------|
| EFT payments, including payroll | \$4,193,792.68 |
| Cheques | \$498.45 |
| Direct debits, including credit cards | \$129,090.66 |
| | |
| Total payments for April 2023 | \$4,323,381.79 |

COUNCIL DECISION ITEM 11.2

Moved: Cr Castle, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

11.3 INVESTMENT REPORT AS AT 30 APRIL 2023

Attachments: 1. Investment Statistics as at 30 April 2023

RECOMMENDATION:

That Council NOTES the Investment Statistics for the month ended 30 April 2023 as detailed in Attachment 1.

COUNCIL DECISION ITEM 11.3

Moved: Cr Castle, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

11.8 OUTCOME OF ADVERTISING AND ADOPTION OF PURCHASING POLICY

- Attachments:**
- 1. Amended Purchasing Policy - Clean Copy - Public Submission**
 - 2. Amended Purchasing Policy - Tracked Changes - Public Submission**
 - 3. Summary of Submissions - Outcomes of Purchasing Policy Amendments**

RECOMMENDATION:

That Council **ADOPTS** the amendments to the Purchasing Policy at Attachment 1.

COUNCIL DECISION ITEM 11.8

Moved: Cr Castle, Seconded: Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

12.4 INFORMATION BULLETIN

- Attachments:
1. Unconfirmed Minutes of the Sustainability and Transport Advisory Group - 30 March 2023
 2. Minutes of the Tamala Park Regional Council Meeting held on 20 April 2023
 3. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 27 April 2023
 4. Statistics for Development Services Applications as at the end of April 2023
 5. Register of Legal Action and Prosecutions Monthly - Confidential
 6. Register of Legal Action - Orders and Notices Quarterly - Confidential
 7. Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 2 June 2023
 8. Register of Applications Referred to the Metro Inner-North Joint Development Assessment Panel - Current
 9. Register of Applications Referred to the Design Review Panel - Current
 10. Street Tree Quarterly Report
 11. Mindarie Regional Council - Waste to Energy Tender - Confidential
 12. Response to Petition - Pruning of Trees in Scarborough Beach Road
 13. Petition - Pruning of Trees - Confidential
 14. Register of Petitions - Progress Report - May 2023
 15. Register of Notices of Motion - Progress Report - May 2023
 16. Register of Reports to be Actioned - Progress Report - May 2023
 17. Council Workshop Items since 27 April 2023
 18. Council Meeting Statistics
 19. Council Briefing Notes - 9 May 2023

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated June 2023.

COUNCIL DECISION ITEM 12.4

Moved: Cr Castle, **Seconded:** Cr Loden

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (8-0)

(Cr Wallace was an apology for the Meeting.)

REPORTS WITH DISCUSSION

9.1 NO. 80 (LOT: 102; D/P: 413590) AUCKLAND STREET, NORTH PERTH - PROPOSED SINGLE HOUSE

Ward: North

- Attachments:
1. Consultation and Location Map
 2. Development Plans
 3. Auckland Street Render and Perspective
 4. Summary of Submission - Administration Response
 5. Summary of Submission - Applicant Response
 6. Design Review Panel Comments - Applicant Response
 7. Original Development Plans
 8. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for a Single House at No. 80 (Lot: 102; D/P: 413590) Auckland Street, North Perth in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 8:

1. Development Plans

This approval is for Single House as shown on the approved plans dated 15 June 2023. No other development forms part of this approval;

2. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City;

3. Colour and Materials

Prior to the lodgement of a building permit, a schedule detailing the colour and texture of the building materials, demonstrating that the proposed development complements the surrounding area, shall be submitted to and approved by the City. The development must be finished, and thereafter maintained, in accordance with the schedule approved by the City, prior to occupation or use of the development;

4. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 (Visual Privacy) of the Residential Design Codes Volume 1 deemed-to-comply provisions, to the satisfaction of the City;

5. Boundary Walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the practical completion of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

6. Street Walls and Fences

The gate and/or fencing infill panels above the approved solid portions of wall shall be visually

permeable in accordance with the Residential Design Codes, to the satisfaction of the City;

7. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve;

8. Landscaping

8.1 An updated detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to lodgement of a Building Permit. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Spacing between and pot size of proposed trees and plantings;
- Low maintenance groundcover and shrubs, such as native *hibberta scandens* (Snake Vine) or *grevillea obtusifolia* (Gin Gin Gem);
- Areas to be irrigated or reticulated;
- The provision of a minimum 15 percent deep soil and planting areas, as defined by the City's Policy No. 7.1.1 – Built Form; and
- The provision of trees to maximise canopy coverage within deep soil and planting areas and within the front setback area. The tree species are to be in accordance with the City's recommended tree species list;

8.2 All works shown in the plans as identified in Condition 8.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers; and

9. Car Parking and Access

9.1 The layout and dimensions of all driveways and parking areas shall be in accordance with AS2890.1; and

9.2 All driveways, car parking and manoeuvring area(s) which form part of this approval shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner/occupier to the satisfaction of the City.

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be adopted.

PROCEDURAL MOTION**DEFERRED****Moved: Cr Loden, Seconded: Cr Hallett**

That the motion be deferred to allow the applicant to consider a greater graduation of the development as it transitions to the south. This is both distance from the street horizontally across the development as well as greater articulation of the development in setbacks between the ground floor and upper floor.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

At 7:03 pm, Cr Dan Loden left the meeting.

11.5 ADOPTION OF THE ANNUAL BUDGET 2023/24

- Attachments:
1. Statutory Budget Financial Statement 2023/24
 2. 4 Year Capital Works Plan 2023/24 - 2026/27
 3. Cash Backed Reserves 2023/24
 4. Summary of Income and Expenditure by Service Area 2023/24
 5. Proposed Fees and Charges 2023/24
 6. Differential Rates and Minimum Payment - submissions received
 7. Carry forward 2022-23

RECOMMENDATION:

That Council BY ABSOLUTE MAJORITY:

1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 1 and 2 for the year ended 30 June 2024, which includes:

- 1.1 Statement of Comprehensive Income by Nature or Type showing a net result for that year of \$3,701,433;
- 1.2 Statement of Cash Flows showing a net cash provided by operations of \$11,105,074 and net decrease in cash held of \$2,623,430;
- 1.3 Rate Setting Statement by Nature or Type showing an amount required to be raised from rates of \$42,302,811;
- 1.4 Transfers to/from Reserves as detailed on the Cash Backed Reserves Statement showing a 30 June 2024 closing balance of \$17,839,833;
- 1.5 Notes to and forming part of the Budget as included in Attachment 1; and
- 1.6 Capital Works Program showing a total of \$19,131,500 (including 2022/23 carry forward projects of \$4,599,392).

2. RATES:

NOTES community submissions were received in response to the Notice published in accordance with section 6.36(1) of the *Local Government Act 1995*, detailed in Attachment 6.

Pursuant to Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSES the following differential general rates and minimum payments on Gross Rental Values (GRV):

2.1 General Rates:

| Differential General Rate | Cents in the dollar |
|-----------------------------------|---------------------|
| Residential | 7.52480 |
| Vacant-Residential | 7.82155 |
| Vacant-Commercial | 13.6689 |
| Other (Commercial and Industrial) | 7.08997 |

2.2 Minimum Payments:

| Differential General Rate | Minimum Payment on GRV |
|-----------------------------------|------------------------|
| Residential | \$1,395.41 |
| Vacant-Residential | \$1,233.10 |
| Vacant-Commercial | \$1,705.07 |
| Other (Commercial and Industrial) | \$1,346.72 |

2.3 RATE PAYMENT OPTIONS:

Pursuant to Section 6.45 of *the Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the following due dates for payment in full by one payment on the due date or in 4 instalments:

| Option | Instalment | Date |
|--------|---------------------------|------------------|
| (a) | Due Date/First instalment | 1 September 2023 |
| (b) | Second instalment | 3 November 2023 |
| (c) | Third instalment | 5 January 2024 |
| (d) | Fourth instalment | 8 March 2024 |

2.4 INSTALMENT, RATES SMOOTHING AND ARRANGEMENTS, ADMINISTRATION FEES AND INTEREST CHARGES:

2.4.1 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS an instalment administration charge of \$8.00 per instalment for payment of rates by 4 instalments, to apply to the second, third and fourth instalment;

2.4.2 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS an interest rate of 5.5% where the owner has elected to pay rates through an instalment option, rates smoothing or alternative payment arrangement.

2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continuing until the date of payment:

2.5.1 On overdue rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, subject to Section 6.51(4) of the *Local Government Act 1995*; and

2.5.2 Amounts due to the City in accordance with Section 6.13 of the *Local Government Act 1995*.

Subject to the following exclusions - deferred rates, current instalment amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

3. REPORTING OF BUDGET VARIANCES:

Pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the monthly reporting variance for the 2023/2024 financial year of 10% or more, where that variance is also more than \$20,000;

4. FEES AND CHARGES:

PURSUANT to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges in Attachment 5

5. RATES WAIVER:

Pursuant to Section 6.47 of the *Local Government Act 1995*, WAIVES the 2023/24 local government rates for the following groups:

| | | |
|--------------------------------------|------------------------------|-------------------|
| North Perth Bowling Club | Woodville Reserve | 3,933.16 |
| North Perth Tennis Club | Woodville Reserve | 3,225.23 |
| Leederville Tennis Club | Richmond Street Leederville | 2,902.63 |
| Tennis West | Robertson Park | 6,593.67 |
| East Perth Football Club | Leederville Oval | 13,895.59 |
| Subiaco Football Club | Leederville Oval | 11,697.70 |
| Town Team Movement | 245 Vincent Street | 1,346.72 |
| Perth Soccer Club | Dorrien Gardens | 19,142.92 |
| Azzurri Bocce Club | Dorrien Gardens | 4,378.77 |
| Loton Park Tennis Club | Loton Park | 2,977.79 |
| Leederville Cricket Club | Britannia Reserve | 2,481.49 |
| Floreat Athena Junior Soccer Club | Britannia Reserve | 2,481.49 |
| Pride Western Australia Incorporated | 4 View Street | 2,424.77 |
| Floreat Athena Soccer Club | Litis Stadium | 10,058.89 |
| Volleyball WA | Royal Park | 3,630.42 |
| Forrest Park Croquet Club | Forrest Park | 4,973.61 |
| Perth Junior Soccer Club Inc | Forrest Park | 1,725.70 |
| Gymnastics Western Australia Inc. | Loftus Centre | 12,508.48 |
| North Perth Community Garden Inc | Woodville Reserve | 1,346.72 |
| Vincent Men's Shed | Woodville Reserve | 1,346.72 |
| Mount Hawthorn Toy Library | Mt Hawthorn Community Centre | 1,346.72 |
| Mount Hawthorn Playgroup | Mt Hawthorn Community Centre | 1,346.72 |
| Tools n Things | Britannia Reserve | 1,346.72 |
| Highgate Forrest Park Playgroup | Forrest Park | 2,212.78 |
| Earlybirds Playgroup | 87 The Boulevarde | 1,346.72 |
| Total | | 120,672.13 |

6. NOTES a provision of \$50,000 within the budget that will be used to assist ratepayers in financial hardship, up to a maximum of \$500 per property.

7. Pursuant to Section 6.11(2)(b) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the closure of the Waste Management Plant and Equipment Reserve and the allocation of the reserve balance to the Strategic Waste Management Reserve.

8. Pursuant to Section 6.11(2)(a) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the change in purpose of the Strategic Waste Management Reserve to the following purpose;

8.1 “For the purpose of replacing plant and equipment associated with the City’s waste operations and investigation/implementation of integrated waste management strategies/programmes and initiatives, (including secondary waste treatment and costs associated with the redevelopment of Lot 118 Tamala Park).”

9. Pursuant to Section 6.11(2)(a) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the change in purpose of the Tamala Park Land Sale Reserve to the following

purpose;

- 9.1 “For future significant/major capital works, underground power projects, infrastructure, project or debt reduction programme for the benefit of the City.”

At 7:04 pm, Cr Dan Loden returned to the meeting.

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Loden, Seconded: Cr Hallett

That the recommendation be amended as follows:

That Council BY ABSOLUTE MAJORITY:

4. FEES AND CHARGES:

PURSUANT to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges in Attachment 5, **subject to the following amendment.**

4.1 Removal of the \$2.00 minimum kerbside parking fee as at Attachment 5.

REASON:

The issue is currently not of a frequency to be considered highly problematic or impactful on revenue, and the proposed 2023/24 budget has not attributed additional revenue towards the introduction of the \$2 minimum. The problem behaviour requires for a person to be either in the car or observing at a close distance to avoid an infringement.

Overall, the ability for people to pull into a street car parking bay for a short pick up from a local businesses is positive, and supports the use of street bays as high turnover, high access bays to support local businesses.

ADMINISTRATION'S COMMENT:

This minimum fee was introduced in the 2020/21 fees and charges to address inappropriate usage of EasyPark sessions by way of users monitoring Ranger patrols. The fee was omitted in error from subsequent year budgets.

Should the amendment be supported by Council the removal of the \$2 minimal fee on kerbside parking locations would not have a significant impact on the proposed revenue for the 2023/24 annual budget. The inappropriate usage will be addressed by Rangers whilst on patrol.

AMENDMENT CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.5**AMENDMENT 2****Moved: Cr Ioppolo, Seconded: Cr Alexander**

That the recommendation be amended as follows:

That Council APPROVE BY ABSOLUTE MAJORITY:

4. FEES AND CHARGES:PURSUANT to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges in Attachment 5 **subject to the following amendment:****4.1 removal of \$1 first hour parking fee as at Attachment 5;****4.2 \$75,000 to be allocated to an advertising campaign to make the public aware of the reversion.****2. Pursuant to Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSES the following differential general rates and minimum payments on Gross Rental Values (GRV):****2.1 General Rates:**

| Differential General Rate | Cents in the dollar | Cents in the dollar |
|-----------------------------------|---------------------|---------------------|
| Residential | 7.52480 | 7.41700 |
| Vacant-Residential | 7.82155 | 7.70423 |
| Vacant-Commercial | 13.6689 | 13.46387 |
| Other (Commercial and Industrial) | 7.08997 | 6.98362 |

2.2 Minimum Payments:

| Differential General Rate | Minimum Payment on GRV | Minimum Payment on GRV |
|-----------------------------------|------------------------|------------------------|
| Residential | \$1,395.41 | \$1,375.38 |
| Vacant-Residential | \$1,233.10 | \$1,215.40 |
| Vacant-Commercial | \$1,705.07 | \$1,680.60 |
| Other (Commercial and Industrial) | \$1,346.72 | \$1,327.39 |

By

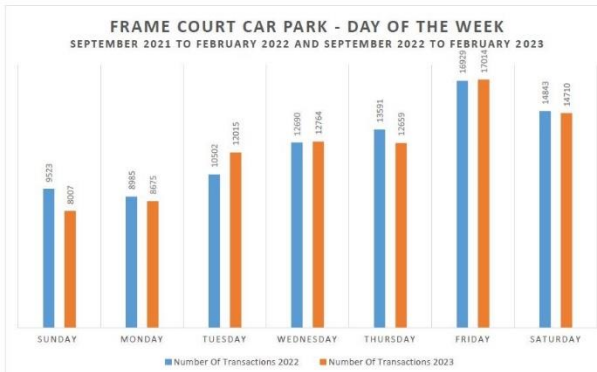
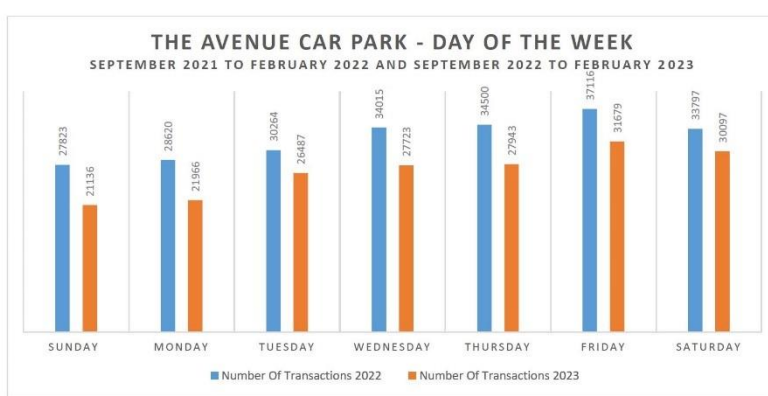
1. Deferring capital expenditure sourced from municipal funds, to the CEO's discretion, that is unlikely to be spent in FY24 (but retaining amounts in reserve for any pre-commitments provided they are not equally proportionately unperformed).
2. If required, reduce the \$1.5m underground power reserve which was previously financed from ratepayers through an opening surplus.

REASON:**1. One-hour free Parking**

The \$1 for \$1 hour trial has been nothing short of a failure given the effect it has on the reduction of vehicles in all car parks, including Leederville. Refer explanation from the Cr Alexander's previous motion to reinstate.

But specifically in relation to the notion of not reinstating this in Leederville, there is no rational justification for

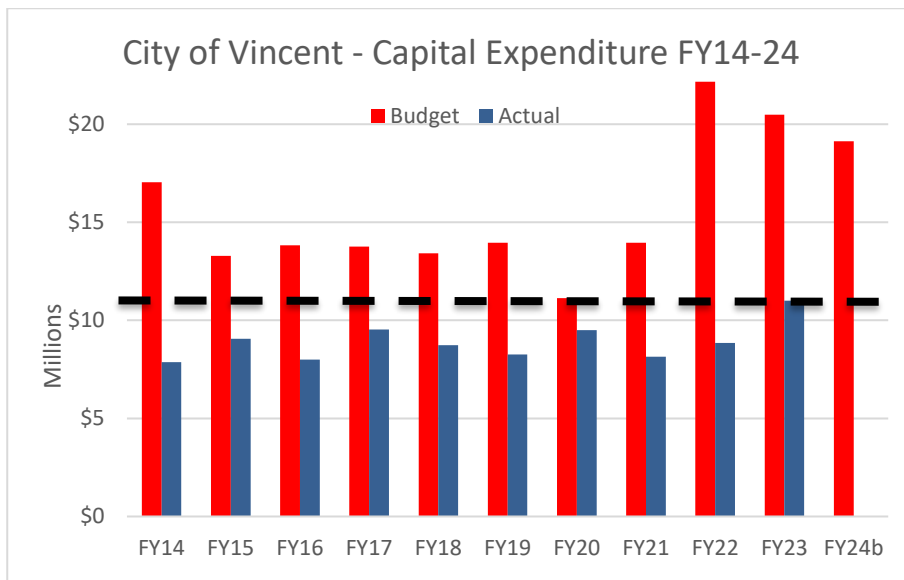
punishment of Leederville businesses and visitors to this urban centre. It has suffered similar reductions in vehicle numbers as other carparks and the removal of 1 hour free is the driver of this as evidenced from community survey responses pre-trial and based on actual vehicle numbers.



It was reported by Administration that the average spend in our car parks is \$1.98. Even with the additional \$1 charged for the first hour, the math would indicate that given the 200,000+ lower vehicle transactions, the loss of revenue from beyond one hour would exceed the incremental revenue from the first hour so its claimed here that the removal of one hour free is unlikely to have a significant, if any, adverse fiscal effect.

The proposed \$2 flat fee for kerbside parking is also likely to have a detrimental effect on short term visitors and is not supported by the community and retailers.

2. Unrealistic Capital Expenditure



The FY24 capital budget is unrealistic (again). We cannot spend this amount, the highest we have ever spent is \$11m and \$19.1m is well beyond this ceiling.

The appropriate way to budget capital works programs is to charge ratepayers for a program of works that can be delivered in the following year and to provide only for pre-commitments by ensuring adequate reserves. The appropriateness of Reserves demands a greater level of review, transparency and justification from an audit perspective.

For example, agreements equally proportionately unperformed are agreements in which neither party has fulfilled any promises, and agreements in which both parties have performed to an equal extent some of their promises while other promises have yet to be honoured. Examples of such agreements include purchase orders for materials or equipment, leases, forward exchange contracts, commodity futures contracts and certain types of employment agreements. These should not be included in amounts recovered from municipal funds.

Pre-commitments do not explain the quantum of overbudgeting. Capital works expected to be spent in an upcoming year should be identified and any precommitment is warranting an increase in reserves funded from municipal rates identified and approved separately.

This approach provides greater transparency on the City’s existing versus future needs and commitments and can be held accountable for the accuracy of each.

3. Inflated Rate increases over time.

A reconciliation has been requested by Councillors and the Audit Committee to examine the effect of overbudgeting capital expenditure since FY14, but this has not been provided.

Therefore, the effect of overbudgeting capital expenditure, subject to assumptions provided below, year on year, is illustrated in the table below.

| Capital Expenditure | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 | FY21 | FY22 | FY23 | FY24b |
|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Capex Actual | 9,054,673 | 8,002,892 | 9,535,938 | 8,730,832 | 8,260,411 | 9,497,203 | 8,152,370 | 8,843,793 | 11,000,000 | |
| Capex Budget | 13,291,534 | 13,831,970 | 13,761,598 | 13,411,320 | 13,952,976 | 11,138,027 | 13,952,936 | 22,158,710 | 20,484,528 | 19,131,500 |
| Overbudgeted capex | 4,236,861 | 5,829,078 | 4,225,660 | 4,680,488 | 5,692,565 | 1,640,824 | 5,800,566 | 13,314,917 | 9,484,528 | |
| Overbudgeted capex funded from Ratepayers ¹ | 1,271,058 | 1,748,723 | 1,267,698 | 1,404,146 | 1,707,770 | 492,247 | 1,740,170 | 3,994,475 | 2,845,358 | |
| Assumption 1% increase in rates ² | \$218,929 | \$230,451 | \$242,580 | \$255,348 | \$268,787 | \$282,934 | \$297,825 | \$313,500 | \$330,000 | \$400,000 |
| Overbudgeted capex effect on rates | 5.8% | 7.6% | 5.2% | 5.5% | 6.4% | 1.7% | 5.8% | 12.7% | 8.6% | |
| Restated rate increase without overbudgeted capex | -2.2% | -4.8% | -2.3% | -2.8% | -3.4% | 1.0% | -5.8% | -10.3% | -1.0% | |
| Residential Rates \$ at 30 June 2014 | \$ 2,000 | | | | | | | | | |
| Residential Rate % Increase | 3.65% | 2.80% | 2.90% | 2.70% | 2.95% | 2.70% | 0.00% | 2.40% | 7.60% | 4.50% |
| Res Rates CoV with overbudgeted capex | \$ 2,073 | \$ 2,131 | \$ 2,193 | \$ 2,252 | \$ 2,318 | \$ 2,381 | \$ 2,381 | \$ 2,438 | \$ 2,624 | \$ 2,742 |
| Res Rates CoV with actual capex (no decreases) | \$ 2,000 | \$ 2,073 | \$ 2,131 | \$ 2,193 | \$ 2,252 | \$ 2,318 | \$ 2,381 | \$ 2,381 | \$ 2,438 | \$ 2,624 |
| Res Rates CoV with actual capex (with decreases)* | \$ 1,957 | \$ 1,863 | \$ 1,820 | \$ 1,769 | \$ 1,709 | \$ 1,725 | \$ 1,624 | \$ 1,456 | \$ 1,441 | \$ 1,441 |

¹ assumes 30% of budgeted capex is funded from municipal rates (note FY24B is 46%)

² assumes average 5% organic annual increase in rates revenue

³ assumes 1% rate increase averages \$280k per annum

If there were no overbudgeted capital expenditure sourced from municipal rates, rates would have actually decreased over time.

The effect is that the Ratepayers rate base has been inflated in perpetuity, estimated at 5% over the period FY15 to present (where decreases are not passed on) and 25% if the rates decreases were passed on to Ratepayers.

ADMINISTRATION'S COMMENT:

1. Not supported

This would have a \$400,000 pa negative impact on City revenue for the proposed Annual Budget and each and every subsequent year in the City's Long Term Financial Plan being proposed for adoption by Council.

Leederville is a Secondary Centre and both its paid car parks experience high occupancy levels. The City's draft Precinct Parking Strategy aims to maintain an optimum occupancy range for these commercial activity areas of between 65% - 85%.

Occupancy below 65% or above 85%, is considered undesirable and requires parking management intervention. Parking occupancy describes the percentage of spaces that are occupied at any given time. Parking occupancy rates, also called 'utilisation', reflect the relationship between parking supply and demand. Occupancy levels are key to determining changes to time restrictions, introduction of user-pays parking and eventually, expansion/contraction of parking supply.

The occupancy of public parking facilities in the City of Vincent should be high enough to ensure that they are occupied at a level that justifies the supply, but not so high that it is unreasonably difficult to find a space. A target occupancy of 85% at times of peak demand means that approximately one parking space in every seven should be vacant.

Parking is considered 'at capacity' when available spaces are more than 85% occupied at times of peak demand. When the average parking occupancy is 'regularly' above 85%, a change to the parking management approach may be necessary.

Leederville's paid carparks are already at around 85% occupancy level. Reducing the parking fees could increase occupancy levels above 85% and have a detrimental impact on the Town Centre – making it difficult to find a car bay for visitors, customers and staff wanting to drive to Leederville .

2. Supported

3. Not supported

Rate setting for 2023/24 has been challenging due to the impacts of a high inflationary cost environment faced by the City and increasing cost of living pressure experienced by the local community. The Annual Budget has been developed over several months with a proposed rate increase well below current inflation levels.

This would have consequential impacts on the Long-Term Financial Plan, Underground Power Financial

Model and Corporate Business Plan.

4. Not supported

The proposed capital works budget continues a focus on renewal expenditure with 78% of new expenditure attributable to asset renewal. The City has developed a 4 Year Capital Works program that continues to address historical maintenance issues that were not previously funded.

This would have consequential impacts on the Long-Term Financial Plan, Underground Power Financial Model and Corporate Business Plan.

5. Not supported

The Underground Power Financial Model has been developed using existing reserve balances and material changes to these would impact the ability to adequately manage project cash flows and provide longer pay back periods.

This would have consequential impacts on the Long-Term Financial Plan.

At 7.50pm A/Executive Manager Corporate Strategy & Governance left the meeting.

At 7.51pm A/Executive Manager Corporate Strategy & Governance returned to the meeting.

At 7.54pm Manager Development & Design left the meeting and did not return.

At 7.54pm Chief Executive Officer left the meeting.

At 7.54pm Chief Executive Officer returned to the meeting.

LOST (2-6)

For: Cr Alexander and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

(Cr Wallace was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.5

That Council BY ABSOLUTE MAJORITY:

1. BUDGET:

Pursuant to the provisions of Section 6.2(1) of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the City of Vincent Annual Budget as detailed in Attachments 1 and 2 for the year ended 30 June 2024, which includes:

- 1.1 **Statement of Comprehensive Income by Nature or Type showing a net result for that year of \$3,701,433;**
- 1.2 **Statement of Cash Flows showing a net cash provided by operations of \$11,105,074 and net decrease in cash held of \$2,623,430;**
- 1.3 **Rate Setting Statement by Nature or Type showing an amount required to be raised from rates of \$42,302,811;**
- 1.4 **Transfers to/from Reserves as detailed on the Cash Backed Reserves Statement showing a 30 June 2024 closing balance of \$17,839,833;**

- 1.5 Notes to and forming part of the Budget as included in Attachment 1; and
- 1.6 Capital Works Program showing a total of \$19,131,500 (including 2022/23 carry forward projects of \$4,599,392).

2. RATES:

NOTES community submissions were received in response to the Notice published in accordance with section 6.36(1) of the *Local Government Act 1995*, detailed in Attachment 6.

Pursuant to Sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSES the following differential general rates and minimum payments on Gross Rental Values (GRV):

2.1 General Rates:

| Differential General Rate | Cents in the dollar |
|-----------------------------------|---------------------|
| Residential | 7.52480 |
| Vacant-Residential | 7.82155 |
| Vacant-Commercial | 13.6689 |
| Other (Commercial and Industrial) | 7.08997 |

2.2 Minimum Payments:

| Differential General Rate | Minimum Payment on GRV |
|-----------------------------------|------------------------|
| Residential | \$1,395.41 |
| Vacant-Residential | \$1,233.10 |
| Vacant-Commercial | \$1,705.07 |
| Other (Commercial and Industrial) | \$1,346.72 |

2.3 RATE PAYMENT OPTIONS:

Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the following due dates for payment in full by one payment on the due date or in 4 instalments:

| Option | Instalment | Date |
|--------|---------------------------|------------------|
| (a) | Due Date/First instalment | 1 September 2023 |
| (b) | Second instalment | 3 November 2023 |
| (c) | Third instalment | 5 January 2024 |
| (d) | Fourth instalment | 8 March 2024 |

2.4 INSTALMENT, RATES SMOOTHING AND ARRANGEMENTS, ADMINISTRATION FEES AND INTEREST CHARGES:

- 2.4.1 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS an instalment administration charge of \$8.00 per instalment for payment of rates by 4 instalments, to apply to the second, third and fourth instalment;
- 2.4.2 Pursuant to Section 6.45(3) of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, ADOPTS an interest rate of 5.5% where the owner has elected to pay rates through an instalment option, rates smoothing or alternative payment arrangement.

2.5 LATE PAYMENT INTEREST ON OVERDUE RATES AND AMOUNTS:

ADOPTS an interest rate of 11% per annum, calculated daily from the due date and continuing until the date of payment:

2.5.1 On overdue rates in accordance with Section 6.51(1) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, subject to Section 6.51(4) of the *Local Government Act 1995*; and

2.5.2 Amounts due to the City in accordance with Section 6.13 of the *Local Government Act 1995*.

Subject to the following exclusions - deferred rates, current instalment amounts not yet due under instalment payment options, registered pensioner portions and current government pensioner rebate amounts;

3. REPORTING OF BUDGET VARIANCES:

Pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, ADOPTS the monthly reporting variance for the 2023/2024 financial year of 10% or more, where that variance is also more than \$20,000;

4. FEES AND CHARGES:

PURSUANT to Section 6.16 of the *Local Government Act 1995*, ADOPTS the Schedule of Fees and Charges in Attachment 5, subject to the following amendment:

4.1 Removal of the \$2.00 minimum kerbside parking fee as at Attachment 5.

5. RATES WAIVER:

Pursuant to Section 6.47 of the *Local Government Act 1995*, WAIVES the 2023/24 local government rates for the following groups:

| | | |
|--------------------------------------|------------------------------|-----------|
| North Perth Bowling Club | Woodville Reserve | 3,933.16 |
| North Perth Tennis Club | Woodville Reserve | 3,225.23 |
| Leederville Tennis Club | Richmond Street Leederville | 2,902.63 |
| Tennis West | Robertson Park | 6,593.67 |
| East Perth Football Club | Leederville Oval | 13,895.59 |
| Subiaco Football Club | Leederville Oval | 11,697.70 |
| Town Team Movement | 245 Vincent Street | 1,346.72 |
| Perth Soccer Club | Dorrien Gardens | 19,142.92 |
| Azzurri Bocce Club | Dorrien Gardens | 4,378.77 |
| Loton Park Tennis Club | Loton Park | 2,977.79 |
| Leederville Cricket Club | Britannia Reserve | 2,481.49 |
| Floreat Athena Junior Soccer Club | Britannia Reserve | 2,481.49 |
| Pride Western Australia Incorporated | 4 View Street | 2,424.77 |
| Floreat Athena Soccer Club | Litis Stadium | 10,058.89 |
| Volleyball WA | Royal Park | 3,630.42 |
| Forrest Park Croquet Club | Forrest Park | 4,973.61 |
| Perth Junior Soccer Club Inc | Forrest Park | 1,725.70 |
| Gymnastics Western Australia Inc. | Loftus Centre | 12,508.48 |
| North Perth Community Garden Inc | Woodville Reserve | 1,346.72 |
| Vincent Men's Shed | Woodville Reserve | 1,346.72 |
| Mount Hawthorn Toy Library | Mt Hawthorn Community Centre | 1,346.72 |
| Mount Hawthorn Playgroup | Mt Hawthorn Community Centre | 1,346.72 |

| | | |
|---------------------------------|-------------------|------------|
| Tools n Things | Britannia Reserve | 1,346.72 |
| Highgate Forrest Park Playgroup | Forrest Park | 2,212.78 |
| Earlybirds Playgroup | 87 The Boulevarde | 1,346.72 |
| Total | | 120,672.13 |

6. NOTES a provision of \$50,000 within the budget that will be used to assist ratepayers in financial hardship, up to a maximum of \$500 per property.
7. Pursuant to Section 6.11(2)(b) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the closure of the Waste Management Plant and Equipment Reserve and the allocation of the reserve balance to the Strategic Waste Management Reserve.
8. Pursuant to Section 6.11(2)(a) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the change in purpose of the Strategic Waste Management Reserve to the following purpose;
- 8.1 “For the purpose of replacing plant and equipment associated with the City’s waste operations and investigation/implementation of integrated waste management strategies/programmes and initiatives, (including secondary waste treatment and costs associated with the redevelopment of Lot 118 Tamala Park).”
9. Pursuant to Section 6.11(2)(a) and Section 6.11(3)(a) of the *Local Government Act 1995*, APPROVES the change in purpose of the Tamala Park Land Sale Reserve to the following purpose;
- 9.1 “For future significant/major capital works, underground power projects, infrastructure, project or debt reduction programme for the benefit of the City.”

CARRIED BY ABSOLUTE MAJORITY (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

Against: Cr Alexander and Cr Ioppolo

(Cr Wallace was an apology for the Meeting.)

11.6 UNDERGROUND POWER FINANCIAL MODEL**Attachments: 1. Underground Power Financial Model****RECOMMENDATION:****That Council**

- 1. ADOPTS the Underground Power Financial Model outlined at Attachment 1 and Notes the following:**
 - 1.1 A maximum borrowing capacity of 50% has been assessed using the Western Australian Treasury Corporation's (WATC) Indicative Additional Debt Capacity Calculator.**
 - 1.2 Ratepayers will be provided the option to pay their service charges upfront payment or through a 4-year payback period option.**
 - 1.3 The 4-year payback period option will be available for up to an estimated maximum 70% of ratepayers per project and funded by either or a combination of 4-year fixed interest term loans borrowed from the WATC, the Underground Power Reserve and the Tamala Park Land Sales Reserve.**
 - 1.4 The Underground Power Reserve and Tamala Park Land Sales Reserve will be used during the life of the project.**
 - 1.5 Properties will be levied a service charge based their specific project area.**

Moved: Cr Loden, Seconded: Cr Gontaszewski**That the recommendation be adopted.**

At 8:16 pm, Cr Dan Loden left the meeting.

At 8:18 pm, Cr Dan Loden returned to the meeting.

At 8:18 pm, Cr Jonathan Hallett left the meeting.

At 8:19 pm, Cr Jonathan Hallett returned to the meeting.

At 8.25pm Project and Strategy Officer left the meeting and did not return.

AMENDMENT**Moved: Cr Ioppolo, Seconded: Cr Alexander****That additional Recommendations be added as follows:****That Council NOTES:**

1. the City of Vincent Administration proposed changes to individual project start dates and a longer project timeline from that which was originally recommended by Western Power, citing affordability issues based on the Administration's preferred model and assumptions to fund a deferred payment plan available for a proportion of ratepayers;
2. that the effect of the above is that the rollout of the underground power projects may not be optimised and therefore may result in an increased cost to certain ratepayers.

That Council REQUESTS:

3. That the CEO negotiates with Western Power on project start dates in recognition of changing circumstances and the impact this may have on the quantum of ratepayer's contributions; and
4. That the CEO provides Council with an updated status report on the overall Underground Power Project at the May Council meeting each year and that the report includes, but is not limited to, revised estimated costs; details of the City's project management costs and staffing levels for both current and future years; and an updated financial model reflecting the latest information about the community's willingness to pay up front; and alternative funding mechanisms.

REASON:

The amendment reflects community feedback for greater accountability and transparency.

Some ratepayers have raised concerns that Administration's preferred funding model includes assumptions that favours prioritisation of a deferred funding model to a proportion of ratepayers over the overall cost of the project through efficient rollout.

The collateral effect is that ratepayers in certain suburbs may pay more in their contribution for underground power than they would otherwise, due to Administration's funding model.

These ratepayers have requested Council be transparent with the decisions that Administration is proposing and to which Council must approve or disapproval, by majority.

ADMINISTRATION'S COMMENT:**1. Not supported.**

The City of Vincent has developed a strong and collaborative partnership with Western Power. The City has been the most active and responsive local government following Western Power's invitation to consider participation in its latest underground power programs.

Following Council's approval of an MOU with the Western Power on an initial three project areas, the City of Vincent took the initiative to approach Western Power to seek a long-term agreement on a whole of City of Vincent of Vincent Underground Power Program to cover all residential streets. This was negotiated and agreed with Western Power subject to their project management considerations and the development of the City of Vincent's financial model. The nature of the partnership with Western Power is that both parties must agree realistic project timings considering several different factors.

The proposed funding model for the underground power program is realistic and financially sustainable for the City of Vincent and provides a four-year re-payment term option for ratepayers. The proposed timeframes maintain the high level of ambition in the program to deliver underground power for all residential streets in the City of Vincent in a staged and sequential manner which can be supported by the City's finances and manages the risk of repayment issues and cost escalation.

2. Not supported

Western Power has provided the City with updated project start dates which still optimises the rollout and takes into account their schedule of works and the age of the overhead infrastructure.

The model recommended to Council can be delivered within the City's financial capacity and taking into account foreseen risks around such a major project including potential cost escalation. Accurate costs for property owners will only be determined following the detailed design process by Western Power for each project area.

The City's two RUP projects are scheduled to be delivered as the last projects commencing in 2030 and over time RUP projects may qualify for the TUPP program. This may result in a higher contribution from Western Power and a lower cost to ratepayers.

3. Not Supported

This has already been completed and the project start dates agreed by Western Power are contained in the report to Council.

Project costs will only becoming legally binding once the funding agreement for each project has been approved by Council.

4. Supported

Regular reporting on all major projects including underground power is provided to Council as part of the Project Management Framework.

AMENDMENT LOST (2-6)

For: Cr Alexander and Cr Ioppolo

Against: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

(Cr Wallace was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.6

That Council

- 1. ADOPTS the Underground Power Financial Model outlined at Attachment 1 and Notes the following:**
 - 1.1 A maximum borrowing capacity of 50% has been assessed using the Western Australian Treasury Corporation's (WATC) Indicative Additional Debt Capacity Calculator.**
 - 1.2 Ratepayers will be provided the option to pay their service charges upfront payment or through a 4-year payback period option.**
 - 1.3 The 4-year payback period option will be available for up to an estimated maximum 70% of ratepayers per project and funded by either or a combination of 4-year fixed interest term loans borrowed from the WATC, the Underground Power Reserve and the Tamala Park Land Sales Reserve.**
 - 1.4 The Underground Power Reserve and Tamala Park Land Sales Reserve will be used during the life of the project.**
- 1.5 Properties will be levied a service charge based their specific project area.**

CARRIED (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

Against: Cr Alexander and Cr Ioppolo

(Cr Wallace was an apology for the Meeting.)

11.4 ADOPTION OF THE LONG TERM FINANCIAL PLAN 2023/24 - 2032/33**Attachments: 1. Long Term Financial Plan 2024 - 2033****RECOMMENDATION:****That Council:**

- 1. ADOPTS the Long Term Financial Plan 2023/24 to 2032/33 and NOTES endorsement for the Scenario 1 - Base Scenario as detailed in Attachment 1; and**
- 2. AUTHORISES the Chief Executive Officer to forward the City of Vincent Long Term Financial Plan in 1 above to the Department of Local Government, Sport and Cultural Industries.**

COUNCIL DECISION ITEM 11.4**Moved: Cr Loden, Seconded: Cr Gontaszewski****That the recommendation be adopted.****CARRIED (6-2)****For:** Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett**Against:** Cr Alexander and Cr Ioppolo**(Cr Wallace was an apology for the Meeting.)**

At 8:37 pm, Cr Suzanne Worner left the meeting due to a previously declared financial interest.

11.7 EVENT SPONSORSHIP 2023/2024

- Attachments:**
1. **Event Sponsorship Detailed Summary**
 2. **Event Sponsorship Guidelines**
 3. **Revelation Perth International Film Festival - Confidential**
 4. **East Perth Football Club Footyville - Confidential**
 5. **Good Sammy LOOP - Confidential**
 6. **WAHonk Fest - Confidential**
 7. **Communities Connect Multicultural Mental Health Expo - Confidential**
 8. **Beaufort Street Network Dogtober - Confidential**
 9. **Jazz Picnic in The Park and Jazz Brunch - Confidential**
 10. **PrideFEST Fairday - Confidential**
 11. **Mt Hawthorn Streets Festival - Confidential**
 12. **Candlelight Best Movie Soundtracks - Confidential**
 13. **Beaufort Street Network Christmas Festival - Confidential**
 14. **Mt Hawthorn NYE - Confidential**
 15. **Hyde Park Festival - Confidential**
 16. **St Patricks Day Festival - Confidential**
 17. **Multicultural Market - Confidential**
 18. **RTRFM Neon Picnic - Confidential**
 19. **North Perth Primary School 125th Year Anniversary - Confidential**
 20. **Subiaco Football Club City of Vincent Match - Confidential**
 21. **Perth Swing Dancing Hullabaloo Fair - Confidential**
 22. **Pickle District After Dark - Confidential**
 23. **Leederville Connect Events - Confidential**
 24. **Centrestage Seniors Concert Series - Confidential**
 25. **Vincent Open Studios - Confidential**

RECOMMENDATION:

1. That Council APPROVES an amount of \$249,000 in 2023/24 for Event Sponsorships as follows:

| Event | Amount |
|--|---------------|
| Revelation Perth International Film Festival Revelation Perth International Film Festival | \$15,000 |
| East Perth Football Club Footyville – Collaboration with Subiaco Football Club | \$2,500 |
| Good Sammy LOOP By Good Sammy | \$15,000 |
| Junkadelic Brass Band WAHonk Fest 2023 | \$0 |
| Multicultural Services Centre of WA Communities Connect Multicultural Mental Health Expo | \$0 |
| Beaufort Street Network Dogtober | \$7,000 |
| Perth International Jazz Festival Jazz Picnic In The Park and Jazz Brunch | \$25,000 |
| Pride WA PrideFEST Fairday | \$20,000 |
| Palace J Mt Hawthorn Streets Festival | \$25,000 |
| FEVER Candlelight: Best of Movie Soundtracks | \$12,000 |
| Beaufort Street Network Beaufort Street Christmas Festival | \$5,000 |
| Floreat Athena Mt Hawthorn NYE | \$10,000 |
| Rotary Club of North Perth Hyde Park Festival | \$15,000 |
| St Patricks Day WA St Patricks Day Festival | \$20,000 |

| | |
|---|------------------|
| Kena Cabral Morales Multicultural Market | \$0 |
| RTRFM Neon Picnic | \$10,000 |
| North Perth Primary School North Perth Primary School 125 th Year Anniversary | \$0 |
| Subiaco Football Club City of Vincent Match – Collaboration with East Perth Football Club | \$2,500 |
| Perth Swing Hullabaloo Fair | \$0 |
| The Pickle District After Dark | \$30,000 |
| Leederville Connect Leederville Town Centre Events | \$25,000 |
| Centrestage Recording Studios Seniors Concert Series | \$10,000 |
| Julie Rosario Vincent Open Studios | \$0 |
| TOTAL EVENT SPONSORSHIP | \$249,000 |

2. **NOTES** the allocation of all 2023/24 Event Sponsorship remains subject to the recipient signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations.

Moved: Cr Hallett, **Seconded:** Cr Gontaszewski

That the recommendation be adopted.

AMENDMENT

Moved: Cr Hallett, **Seconded:** Cr Castle

That the Recommendation be amended as follows, to be funded by a \$10,000 reduction in the close surplus:

| Event | Amount |
|--|------------------------------|
| Revelation Perth International Film Festival Revelation Perth International Film Festival | \$45,000 \$20,000 |
| East Perth Football Club Footyville – Collaboration with Subiaco Football Club | \$2,500 |
| Good Sammy LOOP By Good Sammy | \$15,000 |
| Junkadelic Brass Band WAHonk Fest 2023 | \$0 |
| Multicultural Services Centre of WA Communities Connect Multicultural Mental Health Expo | \$0 |
| Beaufort Street Network Dogtober | \$7,000 |
| Perth International Jazz Festival Jazz Picnic In The Park and Jazz Brunch | \$25,000 |
| Pride WA PrideFEST Fairday | \$20,000 \$25,000 |
| Palace J Mt Hawthorn Streets Festival | \$25,000 |
| FEVER Candlelight: Best of Movie Soundtracks | \$12,000 |
| Beaufort Street Network Beaufort Street Christmas Festival | \$5,000 |

| | |
|---|---------------------------------------|
| Floreat Athena Mt Hawthorn NYE | \$10,000 |
| Rotary Club of North Perth Hyde Park Festival | \$15,000 |
| St Patricks Day WA St Patricks Day Festival | \$20,000 |
| Kena Cabral Morales Multicultural Market | \$0 |
| RTRFM Neon Picnic | \$10,000 |
| North Perth Primary School North Perth Primary School 125 th Year Anniversary | \$0 |
| Subiaco Football Club City of Vincent Match – Collaboration with East Perth Football Club | \$2,500 |
| Perth Swing Hullabaloo Fair | \$0 |
| The Pickle District After Dark | \$30,000 |
| Leederville Connect Leederville Town Centre Events | \$25,000 |
| Centrestage Recording Studios Seniors Concert Series | \$10,000 |
| Julie Rosario Vincent Open Studios | \$0 |
| TOTAL EVENT SPONSORSHIP | \$249,000 \$259,000 |

REASON:

In this time, when there have been attacks in Australia and around the world on transgender people, the Pride Festival is important for visibility and to champion the City as an inclusive and safe place for people of all sexualities and gender expressions.

Revelation is fantastic and is a one of a kind and fantastic to be able to hold that in the City.

ADMINISTRATION'S COMMENT:

Administration supports the increase in budget for 2023/24 event funding.

AMENDMENT CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Worner was absent from the Council Chamber and did not vote.)

(Cr Wallace was an apology for the Meeting.)

AMENDMENT**Moved:** Cr Castle, **Seconded:** Cr Loden

That the recommendation be amended as follows:

| Event | Amount |
|---|---------------------------------------|
| Revelation Perth International Film Festival Revelation Perth International Film Festival | \$20,000 |
| East Perth Football Club Footyville – Collaboration with Subiaco Football Club | \$2,500 |
| Good Sammy LOOP By Good Sammy | \$15,000 |
| Junkadelic Brass Band WAHonk Fest 2023 | \$0 |
| Multicultural Services Centre of WA Communities Connect Multicultural Mental Health Expo | \$0 |
| Beaufort Street Network Dogtober | \$7,000 |
| Perth International Jazz Festival Jazz Picnic In The Park and Jazz Brunch | \$25,000 |
| Pride WA PrideFEST Fairday | \$25,000 |
| Palace J Mt Hawthorn Streets Festival | \$25,000 \$20,000 |
| FEVER Candlelight: Best of Movie Soundtracks | \$12,000 |
| Beaufort Street Network Beaufort Street Christmas Festival | \$5,000 |
| Floreat Athena Mt Hawthorn NYE | \$10,000 |
| Rotary Club of North Perth Hyde Park Festival | \$15,000 |
| St Patricks Day WA St Patricks Day Festival | \$20,000 |
| Kena Cabral Morales Multicultural Market | \$0 |
| RTRFM Neon Picnic | \$10,000 |
| North Perth Primary School North Perth Primary School 125 th Year Anniversary | \$0 |
| Subiaco Football Club City of Vincent Match – Collaboration with East Perth Football Club | \$2,500 |
| Perth Swing Hullabaloo Fair | \$0 |
| The Pickle District After Dark | \$30,000 |
| Leederville Connect Leederville Town Centre Events | \$25,000 |
| Centrestage Recording Studios Seniors Concert Series | \$10,000 |
| Julie Rosario Vincent Open Studios | \$0 |
| TOTAL EVENT SPONSORSHIP | \$259,000 \$254,000 |
| | |

In relation to Palace J funding that the following conditions be added:

The funding be conditional on more detail being provided around the event, including what family friendly options will be offered and that the provider consult with Mt Hawthorn hub and local businesses to the satisfaction of the City before the funding is released.

REASON:

Concerned that there has been no consultation with local Town Team or local businesses and considers that this has been accepted as a reproduction of the previous Streets and Lanes Festival organised by the Mt Hawthorn Hub, but is not convinced that this is a similar offering, and not convinced that this is an offering the community is looking for. Concerned around timing of the event, which is planned to run from 11am to 11pm. The provider has a history of solely providing block party events, which may not be a family friendly event, possibly concentrating on alcohol consumption.

This provider is a commercial provider with no history or partnership with a community group, so believes that it is not appropriate to approve the same level of funding as to an established provider.

At 8.53pm A/Executive Director Infrastructure & Environment left the meeting.

At 8.53pm A/Executive Director Infrastructure & Environment returned to the meeting.

CARRIED (6-1)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Hallett and Cr Ioppolo

Against: Cr Alexander

(Cr Worner was absent from the Council Chamber and did not vote.)

(Cr Wallace was an apology for the Meeting.)

COUNCIL DECISION ITEM 11.7

1. That Council **APPROVES** an amount of **\$254,000** in 2023/24 for Event Sponsorships as follows, with the addition of the following conditions in relation to Palace J funding:

1.1 The funding be conditional on more detail being provided around the event, including what family friendly options will be offered and that the provider consult with Mt Hawthorn hub and local businesses to the satisfaction of the City before the funding is released.

| Event | Amount |
|--|----------|
| Revelation Perth International Film Festival Revelation Perth International Film Festival | \$20,000 |
| East Perth Football Club Footyville – Collaboration with Subiaco Football Club | \$2,500 |
| Good Sammy LOOP By Good Sammy | \$15,000 |
| Junkadelic Brass Band WAHonk Fest 2023 | \$0 |
| Multicultural Services Centre of WA Communities Connect Multicultural Mental Health Expo | \$0 |
| Beaufort Street Network Dogtober | \$7,000 |
| Perth International Jazz Festival Jazz Picnic In The Park and Jazz Brunch | \$25,000 |
| Pride WA | \$25,000 |

| | |
|---|------------------|
| PrideFEST Fairday | |
| Palace J Mt Hawthorn Streets Festival | \$20,000 |
| FEVER Candlelight: Best of Movie Soundtracks | \$12,000 |
| Beaufort Street Network Beaufort Street Christmas Festival | \$5,000 |
| Floreat Athena Mt Hawthorn NYE | \$10,000 |
| Rotary Club of North Perth Hyde Park Festival | \$15,000 |
| St Patricks Day WA St Patricks Day Festival | \$20,000 |
| Kena Cabral Morales Multicultural Market | \$0 |
| RTRFM Neon Picnic | \$10,000 |
| North Perth Primary School North Perth Primary School 125 th Year Anniversary | \$0 |
| Subiaco Football Club City of Vincent Match – Collaboration with East Perth Football Club | \$2,500 |
| Perth Swing Hullabaloo Fair | \$0 |
| The Pickle District After Dark | \$30,000 |
| Leederville Connect Leederville Town Centre Events | \$25,000 |
| Centrestage Recording Studios Seniors Concert Series | \$10,000 |
| Julie Rosario Vincent Open Studios | \$0 |
| TOTAL EVENT SPONSORSHIP | \$254,000 |

2. **NOTES the allocation of all 2023/24 Event Sponsorship remains subject to the recipient signing a Sponsorship Agreement with the City of Vincent identifying all related expectations and obligations.**

CARRIED (7-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

(Cr Worner was absent from the Council Chamber and did not vote.)

At 9:01 pm, Cr Suzanne Worner returned to the meeting.

12.3 ADOPTION OF CORPORATE BUSINESS PLAN 2023/24 - 2026/27 AND FOUR YEAR CAPITAL WORKS PROGRAM 2023/24 - 2026/27

Attachments: 1. **Draft Corporate Business Plan 2023/24 - 2026/27 and Capital Works Program 2023/24 - 2026/27**

RECOMMENDATION:

That Council:

- 1. ADOPTS BY ABSOLUTE MAJORITY the City of Vincent Corporate Business Plan 2023/24 – 2026/27 at Attachment 1 including the Four Year Capital Works Program 2023/24 – 2026/27; and**
- 2. NOTES that:**
 - 2.1 financials in the CBP and CWP are subject to change based on the figures adopted in the City’s Annual Budget 2023/24 and Long Term Financial Plan; and**
 - 2.2 final editorial, design and formatting of these documents will be determined by the Chief Executive Officer prior to publication.**

COUNCIL DECISION ITEM 12.3

Moved: Cr Ioppolo, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED BY ABSOLUTE MAJORITY (6-2)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

Against: Cr Alexander and Cr Ioppolo

(Cr Wallace was an apology for the Meeting.)

At 9.04pm Chief Financial Officer left the meeting and did not return.

9.4 OUTCOME OF PUBLIC NOTICE - PROPOSED LEASE OF PORTION NO. 41 (LOT: 31) BRITANNIA ROAD, LEEDERVILLE

- Attachments:**
1. Britannia Reserve Development Plan
 2. Telecommunications Facility site layout plan
 3. Summary of submissions from public notice
 4. Market Valuation - September 2022 - Confidential

RECOMMENDATION:

That Council APPROVES the lease of a portion of land located No. 41 (Lot 31) Britannia Road, Leederville to Indara Corporation Pty Ltd (ACN 643 875 165) shown on the plan attached as Attachment 1 subject to the following key terms:

1. Initial Term: Ten (10) years
2. Option Term: Two x Five (5) year terms
3. Rent: \$48,000 per annum (plus GST)
4. Rent Review: CPI on 1 July annually
5. Market Rent Review: Market rent review at each Option Term which is to be undertaken 6 – 9 months before commencement of each Option Term.
6. Outgoings: Lessee's responsibility
7. Rates & Taxes: Lessee's responsibility
8. Permitted Use: For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service including but not limited to accessing, installing, storing, operating, repairing, maintaining, altering, removing, adding and replacing telecommunications equipment consistent with the evolving nature of telecommunications services
9. Maintenance of leased area: Lessee's responsibility
10. Redevelopment clause: City will have ability to require Indara to relocate after ten (10) years provided the City provides Indara with twenty four (24) months' written notice.

COUNCIL DECISION ITEM 9.4

Moved: Cr Loden, Seconded: Cr Castle

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

11.9 PROPOSAL TO HOLD EVENTS AT LEEDERVILLE OVAL**Attachments:** 1. Leederville Oval Map of Leased Area**RECOMMENDATION:****That Council:**

1. Subject to the approval of the Minister of Lands, **APPROVES** the grant of licence to Newox Pty Ltd (ACN 640 888 599) for the use of a portion of Leederville Oval, 246 (Lot 500) Vincent Street, Leederville on the following key terms:

- 1.1 Initial Term:** Two (2) years as follows:
Events including use of Leederville Oval:
1 October 2023 to 7 January 2024; and
1 October 2024 to 7 January 2025.
- Events solely using internal common area, club rooms and car park:
1 October 2023 to 30 September 2025.
- 1.2 Option Term:** Two x One (1) year term as follows:
Events including use of Leederville Oval:
1 October 2025 to 7 January 2026; and
1 October 2026 to 7 January 2027;
- Events solely using internal common area, club rooms and car park:
1 October 2025 to 30 September 2026; and
1 October 2026 to 30 September 2027;
- both at the absolute discretion of the City.
- 1.3 Licence Fee:** 1 October 2023 to 30 September 2025:
Based on City of Vincent's fees and charges applicable to Leederville Oval for financial year 2023/2024.
- 1 October 2025 to 30 September 2027:
Based on City of Vincent's fees and charges applicable to Leederville Oval as at 1 July of the respective financial year.
- 1.4 Licence Area:** Portion of Leederville Oval, being oval section, common area section, additional facilities, and car parking area (i.e. all of Lot 500 Vincent Street, Leederville except the areas leased to East Perth Football Club Inc., Subiaco Football Club Inc. and the Department of Local Government, Sport and Cultural Industries).
- 1.5 Permitted Purpose:** To host a number of events focused around food, music or family friendly entertainment.
Proposed events under this Licence shall be operated in keeping with the deliverables of the City's Public Health Plan, including:
- a) The event activities shall not be focused on the consumption of alcohol;
 - b) Alcohol advertising, marketing, promotion and sponsorship shall be limited; and

- c) All events shall be smoke and vape free.
- 1.6 Outgoings: Lighting as per City of Vincent's fees and charges adopted as at 1 July annually.
- 1.7 Cleaning and Maintenance: Licensee's responsibility.
- 1.8 Make good: Licensee's responsibility, including through bond payment for turf repair by City.
- 1.9 Approvals The licensee shall make all relevant applications to the City, prior to each event, for approval under relevant Environmental Noise, Building and Health legislation.
- 1.10 Redevelopment: If the City:
- d) wishes to develop the Land or its surrounds; or
- e) determines that it can no longer maintain the Land in a safe and occupiable condition,
- the City, may upon providing the Licensee with 3 months' prior notice, require the Licensee to surrender the licence over the Land.
2. Subject to the Minister's approval in Recommendation 1 and final satisfactory negotiations being carried out by the Chief Executive Officer, **AUTHORISES** the Mayor and the Chief Executive Officer to affix the common seal and execute the Licence; and
3. **NOTES** that the event organiser would be required to inform the community of event details ahead of events.

COUNCIL DECISION ITEM 11.9

Moved: Cr Gontaszewski, **Seconded:** Cr Hallett

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

12.1 ANNUAL REVIEW OF COUNCIL DELEGATIONS**Attachments:** 1. Register of Council Delegations - Marked up for 2023 Review**RECOMMENDATION:****That Council:**

1. **NOTES** the annual review of its delegations in accordance with Section 5.46(2) of the *Local Government Act 1995*, as outlined in this report; and
2. **DELEGATES BY ABSOLUTE MAJORITY** the local government functions listed in the City's Council Delegated Authority Register included as Attachment 1.

COUNCIL DECISION ITEM 12.1**Moved: Cr Loden, Seconded: Cr Castle****That the recommendation be adopted.****CARRIED BY ABSOLUTE MAJORITY (8-0)****For:** Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo**Against:** Nil**(Cr Wallace was an apology for the Meeting.)**

Lisa left

12.2 OUTCOME OF ADVERTISING AND ADOPTION OF AMENDMENTS TO LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES POLICY

- Attachments:**
1. Legal Representation for Council Members and Employees Policy - (clean copy)
 2. Legal Representation for Council Members and Employees Policy - (marked up)

RECOMMENDATION:

That Council **ADOPTS** the amended Legal Representation for Council Members and Employees Policy at Attachment 1.

COUNCIL DECISION ITEM 12.2

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

CARRIED (7-1)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner and Cr Hallett

Against: Cr Ioppolo

(Cr Wallace was an apology for the Meeting.)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Presiding Member advised that as there were no questions to be asked on the confidential item, it was not necessary to go behind closed doors.

At 9.15pm A/Executive Director Infrastructure & Environment and A/Executive Manager Corporate Strategy & Governance left the meeting and did not return.

17.1 APPOINTMENT OF EXECUTIVE DIRECTOR INFRASTRUCTURE & ENVIRONMENT - 2023

Attachments: 1. Position Description - Executive Director Infrastructure & Environment
2. Preferred Candidate CV - Peter Varris

RECOMMENDATION

That Council, pursuant to section 5.37(2) of the *Local Government Act 1995*, ACCEPTS the recommendation of the Chief Executive Officer to employ the preferred candidate, Mr Peter Varris, as the City's Executive Director Infrastructure and Environment on a five year (5) contract of employment, subject to the terms and conditions as determined by the Chief Executive Officer.

COUNCIL DECISION ITEM 17.1

Moved: Cr Castle, **Seconded:** Cr Hallett

That the recommendation be adopted.

CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Alexander, Cr Castle, Cr Loden, Cr Worner, Cr Hallett and Cr Ioppolo

Against: Nil

(Cr Wallace was an apology for the Meeting.)

18 CLOSURE

There being no further business, the Presiding Member, Mayor Emma Cole, declared the meeting closed at 9.17pm with the following persons present:

| | | |
|-----------------------|---------------------------|---|
| PRESENT: | Mayor Emma Cole | Presiding Member |
| | Cr Susan Gontaszewski | South Ward |
| | Cr Ron Alexander | North Ward |
| | Cr Alex Castle | North Ward |
| | Cr Dan Loden | North Ward |
| | Cr Suzanne Worner | North Ward |
| | Cr Jonathan Hallett | South Ward |
| | Cr Ross Ioppolo | South Ward |
| IN ATTENDANCE: | David MacLennan | Chief Executive Officer |
| | John Corbellini | Executive Director Strategy & Development (electronically) |
| | Luke McGuirk | Manager Engineering (electronically) (Joined at 6.01pm during Item 3A) |
| | Dale Morissy | Manager Community Facilities (electronically) |
| | Wendy Barnard | Council Liaison Officer |
| Public: | One member of the public. | |

These Minutes were confirmed at the 25 July 2023 meeting of Council as a true and accurate record of the Ordinary Council Meeting held on 20 June 2023.

Signed: Mayor Emma Cole



Dated